

Frequently Asked Questions For San Juan County and the Early Action Compact

- **How much will development of an EAC cost the community?**
Nothing
- **What will be the responsibility of the community?**
Providing NMED with responses on how to address the ozone issue once inventory and modeling (a thorough study) has been completed.
- **Will there be more funding available if we go with an Early Action Compact (EAC)?**
Yes, EPA has stated that grant funding will be available for those areas that choose to do an EAC.
- **What if we decided we do not want to do the EAC later on?**
An area can opt out of their EAC at any time. It is important to note that after 2004, it becomes more difficult to do so because regulations will be in place.
- **Have any other areas decided to do this?**
Yes, Austin, Texas; San Antonio, Texas; Oklahoma City, Oklahoma; Shreveport, Louisiana; and a collection of cities and counties in northeastern Texas have opted to adopt their own EACs.
- **Are any of these areas not over the standard right now?**
Yes, the situation of Shreveport, LA is not unlike San Juan County; ozone levels in Shreveport have not exceeded the standard but are close to doing so.
- **What happens if we miss a milestone under the EAC?**
The compact would be broken and the area would return to what it was originally designated before the compact was signed.
- **Are there any penalties for missing a milestone or opting out of the compact?**
No, a community will not be penalized for missing milestones or opting out of the EAC. The area simply would not be covered under the EAC and go back to its original designation.
- **Who will be responsible for the technical analysis?**
The New Mexico Environment Department will be responsible for the technical analysis.
- **Who needs to sign the compact?**
Local government, the state, and the federal government (EPA).

- **What happens if we find that it is ozone transport from another area that is causing this problem?**
That will be addressed with the State Implementation Plan for the area and the State will work with EPA to have those sources outside the EAC do emission controls methods. The area will not be penalized for outside emission sources.
- **What determines the deadline at the end of the year?**
EPA has set a deadline of December 31, 2002 on EACs. For an EAC to be valid, it must be signed by all parties and delivered to EPA by that date.
- **Are the signatories in any way financially responsible?**
No.
- **What is the worst case scenario if an EAC is not signed and measures are not begun to be made?**
The worst-case scenario would be non-attainment; that is, exceeding the federal health-based standard for ozone and being designated by EPA as a non-attainment area. Under non-attainment area permitting, harsh economic requirements would fall on all new sources of emissions, such as installation of Lowest Achievable Emission Rate (LAER) technology, regardless of cost. In addition, emissions offsets would be required to compensate of all new sources of air pollution.
- **How long do we have to be on board to get the money? How fast can we get the money?**
EPA has indicated that with a signed, approved EAC, the New Mexico Environment Department would have much more leverage to receive funding from EPA. Federal funding would be contingent on matching funds from the New Mexico state legislature. Ideally, funding could be available within several months of signing the EAC.
- **When are measures required?**
Measures to reduce emissions are required to begin in 2005.